

ARKANSAS SUPREME COURT

No. CR 09-104

WALTER A. MCCULLOUGH
Petitioner

v.

HON. VICTOR L. HILL, CIRCUIT
JUDGE
Respondent

Opinion Delivered March 19, 2009

PRO SE PETITION FOR WRIT OF
MANDAMUS [CIRCUIT COURT OF
CRAIGHEAD COUNTY, WESTERN
DISTRICT, CR 2004-820]

PETITION MOOT.

PER CURIAM

Now before us is a pro se petition for writ of mandamus filed by petitioner Walter A. McCullough. The petition asks this court to direct the circuit judge below to act on a pro se petition and amended petition filed by petitioner to vacate and set aside the judgment entered against him pursuant to Act 1780 of 2001.¹

In the instant petition for writ of mandamus, filed on February 3, 2009, petitioner contends that the Honorable Victor L. Hill had failed to act on the petitions in a timely manner. Judge Hill filed a response to the mandamus petition to which was appended a copy of his opinion entered on February 9, 2009, in response to the Act 1780 petitions. As the court has acted on the petitions, the petition for writ of mandamus is moot.

Petition moot.

¹Act 1780 of 2001, as amended by Act 2250 of 2005, and codified as Ark. Code Ann. §§ 16-112-201 – 208 (Repl. 2006), provides that a writ of habeas corpus can issue based upon new scientific evidence proving a person actually innocent of the offense or offenses for which he or she was convicted.

